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JUL 18 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 18, 2003

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Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W., TW-A325
Washington, DC 20554

**Re: Implementation of the Pay Telephone Reclassification and
Compensation Provisions of the Telecommunications Act
of 1996, CC Docket No. 96-128**

Dear Ms. Dortch:

The American Public Communications Council ("APCC") hereby submits two documents that provide further data regarding the carrier "takebacks" of compensation described in APCC's notice of ex parte communication dated July 17, 2003.

The first document is a list of the amounts "taken back" in the first quarter 2003 payment cycle by each of the carriers that acknowledged they were taking back compensation. The second document is a copy of an e-mail and attachments sent to Jeff Carlisle on July 16, 2003, showing the kinds of data provided by AT&T in connection with its takeback.

APCC is filing both a public and a confidential version of the submission. The information presented includes information that quantifies payments taken back for particular calendar quarters by certain interexchange carriers ("IXCs") to the payphone service providers ("PSPs") represented by APCC Services, Inc., a payphone compensation clearinghouse. These amounts were computed using information that was provided by IXCs to APCC Services, Inc. in the dial-around compensation process. APCC does not know if this information is subject to a confidentiality requirement. Out of an abundance of caution, however, APCC is initially filing the information as confidential, and requests the Commission to treat it as such until the IXCs to whom the information pertains have had an opportunity to object to its disclosure. Of course, APCC will make data pertaining to a particular IXC available to that IXC upon its request.

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July 18, 2003
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The second attachment includes the specific ANIs from which various calls were made to 800 numbers handled by AT&T. In order to protect the interest of the PSP involved in keeping its payphone numbers confidential, APCC requests the FCC to treat this information as confidential.

If you have any questions, please call me at (202) 828-2236.

Sincerely,

A handwritten signature in black ink that reads "Robert F. Aldrich". The signature is written in a cursive style with a large, prominent "R" at the beginning.

Robert F. Aldrich

RFA/ncw

Enclosures

cc: Jeff Carlisle
Gregory Cooke
Darryl Cooper
Jack Yachbes
Robert Tanner

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Carrier	year	qtr	type	rate	sum(calls)	total
ATT	2001	3	PER-CALL	-\$0.24		
ATT	2001	3	SURROGATE	-\$8.40		
ATT	2001	4	PER-CALL	-\$0.24		
ATT	2002	1	PER-CALL	-\$0.24		
ATT	2002	2	PER-CALL	-\$0.24		
ATT	2002	3	PER-CALL	-\$0.24		
ATT	2002	4	PER-CALL	-\$0.24		
ATT	2003	1	PER-CALL	-\$0.24		
CNI	2001	4	PER-CALL	-\$0.24		
CNI	2002	1	PER-CALL	-\$0.24		
CNI	2002	2	PER-CALL	-\$0.24		
EXCEL	2001	3	PER-CALL	-\$0.24		
EXCEL	2001	4	PER-CALL	-\$0.24		
EXCEL	2002	1	PER-CALL	-\$0.24		
EXCEL	2002	2	PER-CALL	-\$0.24		
EXCEL	2002	3	PER-CALL	-\$0.24		
GBLX	2002	1	PER-CALL	-\$0.24		
GBLX	2002	2	PER-CALL	-\$0.24		
GBLX	2002	3	PER-CALL	-\$0.24		
GBLX	2002	4	PER-CALL	-\$0.24		
					Total	

Aldrich, Robert**REDACTED - FOR
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From: Aldrich, Robert
Sent: Wednesday, July 16, 2003 1:45 PM
To: 'jcarlisl@fcc.gov'
Subject: Data provided by AT&T in connection with the "Tollgate take back"
Importance: High

Jeff,

A hard copy of this e-mail, with attachments tabbed and highlighted so that you can see clearly the data we are discussing below, is being hand delivered to you.

Attached are examples of the data that was provided by AT&T (through NPC) in connection with the "tollgate takeback" we discussed with you yesterday, in which AT&T and certain other carriers took back compensation paid during four to six previous quarters based on information they belatedly received from resellers regarding allegedly uncompleted calls. As explained below, the information provided by AT&T in connection with this takeback does show how many per-call payments were taken back for each of the PSP's ANIs. However:

- No information is provided as to the identities of the resellers involved in the takeback.
- As explained below, the information does NOT match up the calls subject to the takeback with the specific toll-free numbers involved in the takeback. Thus, there is no way for a PSP to trace the takeback to specific resellers (even if the PSP did happen to know that certain toll-free numbers belong to certain resellers).

The remainder of this e-mail walks you through the attachments so that you can see exactly what kinds of data were provided in connection with the tollgate takeback.

The information in the attachments pertains to AT&T's payments to a PSP with the identification number CBID 10038. Two sets of data are provided in each payment cycle. One set is called "Type 3" data. This set shows the number of compensable calls for each ANI, each month, but does not break out the calls by 800 number. The other set is called "type 5" data. This set does break down compensable calls for each ANI by 800 number.

In the first attachment ("10038 02Q4 type3 ATT.txt"), which contains type 3 data, each entry describes a payment made to CBID 10038 in the fourth quarter 2002 payment cycle (the cycle just prior to the payment cycle in which the takeback occurred). In the fifth entry, for example, the first line indicates that a per-call payment was made by AT&T to CBID 10038 for calls placed during the 4th quarter of 2002 ("20024") from the ANI [redacted]. The second line indicates that the payment was made at a per-call rate of \$.24, for 49 calls in the first month, 21 calls in the second month, and 7 calls in the third month, for a total payment of

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\$ 18.48.

In the second attachment ("10038 03Q1 type3 ATT.txt"), each entry represents a transaction that occurred in the first quarter 2003 payment cycle (the cycle in which the takeback occurred). Some of the entries represent payments made for calls made in first quarter 2003, while other entries represent takebacks (indicated by a minus sign in the second line of the entry immediately following the letter "P") of payments made in previous quarters. The fifteenth entry of this attachment, for example, describes a partial takeback of the same payment made in the previous cycle (fourth quarter 2002) and discussed immediately above. The first line of the entry indicates that AT&T is taking back compensation from CBID 10038, for calls made in the fourth quarter of 2002, from the ANI [REDACTED]. The second line indicates that the payment rate was \$.24, that 20 calls were "taken back" for the first month, 0 calls were taken back for the second month, and 0 calls were taken back for the third month, for a total takeback of \$4.80 out of the \$18.48 originally paid.

Again, the type 3 data set does not include any breakdown of payments or takebacks to show how many calls were made to each toll-free number or to each reseller. Thus, there is no way to use the type 3 data to identify the toll-free numbers or resellers involved in the takeback.

The other data set, called "type 5" data, does contain a breakdown of the compensable calls made to each toll-free number (although there is no matchup of toll-free numbers to reseller identities) from each ANI, but does NOT include any information about the takebacks.

In the third attachment ("10038 02Q4 type5 ATT.txt"), each entry shows the number of calls made from a particular ANI to a particular toll-free number in fourth quarter 2002. For example, the eighth entry shows that for CBID 10038, in fourth quarter 2002, from ANI [REDACTED], the calls made on AT&T's network to toll-free number 877-277-1631 totaled 2 in the first month, 0 in the second month, and 0 in the third month. The next 16 entries indicate the number of calls made from the same ANI to other toll-free numbers in the fourth quarter of 2002.

The fourth attachment (10038 03Q1 type5 ATT.txt), provides the same kind of information for the first quarter 2003 payment cycle. But, while the takebacks were made in this payment cycle, no detail is provided regarding the calls for which payments were taken back. Instead, the data set simply repeats the same data that was provided in the cycle when the original payment was made. For example, the 43rd through 59th entries in this attachment show the calls made in fourth quarter 2002 from ANI [REDACTED]. This entry thus corresponds to the entry highlighted above in the third attachment. Even though payments for this ANI are being taken back (as shown in the second "type 3" attachment, discussed above), there is no change in the information provided. The same number of calls are reported for each toll-free number, just as if there was no takeback at all.

Accordingly, there is no way for PSPs to use the type 5 data to identify the specific toll-free numbers or resellers involved in the takeback or to match up the payments taken back to specific toll-free numbers or resellers.

Please feel free to call me if you have any questions.

Bob Aldrich

10038_02Q4_type3_ATT.txt

3100382002 CA20024PATT PER-CALL
P000000.24000000000015.000000000010.000000000003.000000000006.7200

3100382002 CA20024PATT PER-CALL
P000000.24000000000017.000000000011.000000000016.000000000010.5600

3100382002 CA20024PATT PER-CALL
P000000.2400000000001.00000000000.000000000000.000000000000.2400

3100382002 CA20024PATT PER-CALL
P000000.240000000000.00000000000.000000000001.000000000000.2400

3100382002 CA20024PATT PER-CALL
P000000.24000000000049.000000000021.000000000007.000000000018.4800

3100382002 CA20024PATT PER-CALL
P000000.2400000000007.000000000013.000000000006.000000000006.2400

3100382002 CA20024PATT PER-CALL
P000000.240000000000.000000000008.000000000002.000000000002.4000

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10038_03Q1_type3_ATT.txt

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000014.0000-00000003.3600

3100382003 CA20031PATT PER-CALL
P000000.2400000000007.000000000040.000000000000.0000000000011.2800

3100382003 CA20031PATT PER-CALL
P000000.2400000000002.000000000000.000000000000.0000000000000.4800

3100382003 CA20031PATT PER-CALL
P000000.2400000000001.000000000008.000000000016.000000000006.0000

3100382003 CA20031PATT PER-CALL
P000000.2400000000008.000000000005.000000000013.000000000006.2400

3100382003 CA20031PATT PER-CALL
P000000.2400000000003.000000000005.000000000004.000000000002.8800

3100382002 CA20023PATT PER-CALL
P00000.2400000000005.000000000005.000000000005.0000-00000003.6000

3100382002 CA20023PATT PER-CALL
P00000.2400000000005.000000000003.000000000004.0000-00000002.8800

3100382002 CA20023PATT PER-CALL
P00000.24000000000045.000000000009.000000000011.0000-00000015.6000

3100382002 CA20023PATT PER-CALL
P00000.24000000000021.000000000000.000000000025.0000-00000011.0400

3100382002 CA20023PATT PER-CALL
P00000.2400000000002.000000000000.000000000001.0000-00000000.7200

3100382002 CA20024PATT PER-CALL
P00000.24000000000010.000000000000.000000000000.0000-00000002.4000

3100382002 CA20024PATT PER-CALL
P00000.2400000000008.000000000000.000000000000.0000-00000001.9200

3100382002 CA20024PATT PER-CALL
P00000.2400000000001.000000000000.000000000000.0000-00000000.2400

3100382002 CA20024PATT PER-CALL
P00000.24000000000020.000000000000.000000000000.0000-00000004.8000

3100382002 CA20024PATT PER-CALL
P00000.2400000000005.000000000000.000000000000.0000-00000001.2000

3100382002 CA20021PATT PER-CALL
P00000.2400000000002.000000000013.000000000000.0000-00000003.6000

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000001.0000-00000000.2400

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000007.0000-00000001.6800

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000011.0000-00000002.6400

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000007.0000-00000001.6800

3100382001 CA20014PATT PER-CALL
P00000.2400000000000.000000000000.000000000012.0000-00000002.8800

3100382002 CA20022PATT PER-CALL
P00000.2400000000009.000000000009.000000000011.0000-00000006.9600

3100382002 CA20022PATT PER-CALL
P00000.2400000000001.000000000001.000000000006.0000-00000001.9200

3100382002 CA20022PATT PER-CALL
P00000.2400000000000.000000000000.000000000002.0000-00000000.4800

3100382002 CA20022PATT PER-CALL
P00000.2400000000015.000000000029.000000000014.0000-00000013.9200

3100382002 CA20022PATT PER-CALL
P00000.2400000000027.000000000012.000000000028.0000-00000016.0800

3100382002 CA20022PATT PER-CALL
P00000.2400000000008.000000000017.000000000013.0000-00000009.1200

3100382002 CA20022PATT PER-CALL
P00000.2400000000000.000000000000.000000000005.0000-00000001.2000

3100382002 CA20021PATT PER-CALL
P00000.2400000000000.000000000000.000000000002.0000-00000000.4800

3100382002 CA20021PATT PER-CALL
P00000.2400000000013.000000000004.000000000001.0000-00000004.3200

3100382002 CA20021PATT PER-CALL
P00000.2400000000001.000000000000.000000000004.0000-00000001.2000

3100382002 CA20021PATT PER-CALL
P00000.2400000000000.000000000000.000000000003.0000-00000000.7200

5100382002	10038_02Q4_type5_ATT.txt	
000000000000	ATT 8882888893	000000000000 000000000002
5100382002	ATT 8009228228	000000000000 000000000002
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5100382002	ATT 8008418889	000000000000 000000000000
000000000001		
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000000000001		
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000000000000		
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000000000000		
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000000000000		
5100382002	ATT 8772771631	000000000002 000000000000
000000000000		
5100382002	ATT 8882517976	000000000001 000000000004
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5100382002	ATT 8882525757	000000000000 000000000001
000000000000		
5100382002	ATT 8006666634	000000000006 000000000000
000000000000		
5100382002	ATT 8005835661	000000000000 000000000002
000000000000		
5100382002	ATT 8005400223	000000000000 000000000000
000000000001		
5100382002	ATT 8002242249	000000000001 000000000000
000000000000		
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000000000003		
5100382002	ATT 8002429907	000000000001 000000000001
000000000000		
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000000000000		
5100382002	ATT 8002824543	000000000001 000000000002
000000000000		
5100382002	ATT 8003250609	000000000000 000000000000
000000000001		
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000000000000		

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5100382002 000000000001	ATT 8002255288	000000000000 000000000000
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5100382002 000000000004 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000 5100382002 000000000000	ATT 8002429907 ATT 8779682435 ATT 8772398361 ATT 8772304526 ATT 8007673403 ATT 8006609252 ATT 8005673883 ATT 8005315117 ATT 8004419032 ATT 8004004222 ATT 8003976909 ATT 8003101392	000000000000 000000000001 000000000002 000000000000 000000000001 000000000000 000000000008 000000000000 000000000000 000000000001 000000000000 000000000003 000000000001 000000000000 000000000001 000000000000 000000000000 000000000002 000000000000 000000000000 000000000000 000000000001 000000000000 000000000001
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10038_03Q1_type5_ATT.txt

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5100382002 000000000000	ATT 8005551212	000000000002 000000000000
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5100382001 000000000001	ATT 8005551212	000000000000 000000000000
5100382001 000000000001	ATT 8007416060	000000000000 000000000000
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5100382001 000000000001	ATT 8889946661	000000000000 000000000000
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5100382001 000000000003	ATT 8002255288	000000000000 000000000000
5100382001 000000000001	ATT 8004004222	000000000000 000000000000
5100382001 000000000001	ATT 8003944868	000000000000 000000000000
5100382001 000000000001	ATT 8882442709	000000000000 000000000000
5100382003 000000000000	ATT 8007435000	000000000002 000000000000
5100382003 000000000000	ATT 8006381320	000000000000 000000000002
5100382003 000000000001	ATT 8006281674	000000000000 000000000000
5100382003 000000000000	ATT 8005551212	000000000000 000000000001
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5100382001 000000000002	ATT 8882442709	000000000000 000000000000
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5100382001 000000000002	ATT 8005268585	000000000000 000000000000

5100382001 000000000001	ATT 8884476622	000000000000 000000000000
5100382001 000000000002	ATT 8888165081	000000000000 000000000000
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5100382001 000000000001	ATT 8888165946	000000000000 000000000000
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5100382001 000000000001	ATT 8005551212	000000000000 000000000000
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5100382003 000000000001	ATT 8666685563	000000000000 000000000000
5100382003 000000000001	ATT 8008629500	000000000000 000000000000
5100382003 000000000000	ATT 8008413000	000000000001 000000000000
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5100382002 000000000000	ATT 8884476677	000000000003 000000000000
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5100382002 000000000001	ATT 8002916373	000000000000 000000000000
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5100382002 000000000013	ATT 8772304526	000000000008 000000000017
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5100382002 000000000000	ATT 8003101392	000000000001 000000000001
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5100382002 000000000014	ATT 8772304526	000000000015 000000000029
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